

REMARKS

The paper filed October 25, 2004, was considered not fully responsive. Applicant submitted process claims, which the Examiner considered improper, because applicant had already received an action on the merits of claims directed to a pavement.

It was further noted that the amendment to the claims included errors which would preclude examination. Applicant has now supplied new claims to a concrete pavement. The errors consisting of extra periods etc. have been corrected.

The previous amendatory paper is believed to have distinguished the cited Banthia '630 and Bache '992 over the claims then in the application.

The claims now presented are directed to a concrete pavement. They are substantially simplified from those initially presented with the application. The new claims distinguish over the Banthia and Bache patents for essentially the reasons previously discussed in the October 25, 2004, amendatory paper. Applicant is not concerned with a concrete formulation, including reinforcing fibers as in Banthia. Applicant's concrete makes use of certain inherent qualities of conventional concrete to provide a basis for a reduction in the thickness of concrete, hence the cost.

Essentially the same distinction applies to the Bache patent which deals with reinforced concrete. Applicant is not concerned with and does not claim reinforced concrete.

It is believed that the new claims are in condition for allowance and favorable

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action is requested. Should the Examiner disagree, entry under the provisions of 37 CFR 1.116 is requested as placing the application in better form for appeal.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Robert C. Smith", is written over a horizontal line.

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